

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

FIVE STAR BANK,

Plaintiff,

-VS-

KATHERINE MOTT-FORMICOLA, et al.,

No. 24-cv-6153-FPG

Defendants.

JOINT STATUS REPORT

Pursuant to the Court's Order staying this matter, *see* ECF No. 140, the parties hereby submit this joint status report:

1. On January 8, 2025, the Court entered its Decision & Order staying this civil matter pending further developments in the related criminal proceedings. As part of that ruling, the Court instructed the parties to jointly file a status report summarizing the status of defendant Mott-Formicola's criminal proceedings on July 7, 2025. ECF No. 140 p. 6.

2. On December 2, 2024, defendant Mott-Formicola entered into a plea agreement with the United States Attorney for the Western District of New York, *see* Case No. 24-CR-6161, ECF No. 3, and sentencing was initially set for May 1, 2025. *Id.* ECF No. 6.

3. Sentencing has been reset twice, and is currently scheduled for November 5, 2025. *See id.*, ECF Nos. 9, 11.

4. It is the parties' understanding that the criminal federal investigation is ongoing.

Dated: July 7, 2025
Buffalo, NY

s/ Sarah O'Brien

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Dated: July 7, 2025
Rochester, NY

s/ Michael Rothenberg

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Dated: July 7, 2025
Rochester, NY

/s Matthew Lembke

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Dated: July 7, 2025
Rochester, NY

s/ David Pilato

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Dated: July 7, 2025
Rochester, NY

s/ Mark Foti

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Dated: July 7, 2025
Rochester, NY

s/ Jeffrey Allen

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